IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

REVIEW PETITION NO. 14 OF 1998

IN

CHAMBER SUMMONS NO. 343 OF 1997

IN

EXECUTION APPLICATION NO. 405 OF 1994

IN

SUIT NO. 2774 OF 1984

MITSUE OSK MANNING SERVICES SA
& ANR ...Plaintiffs.
vs.
INDIAN OVERSEAS BANK AND ORS. ...Defendants.

N.G. Thakkar, Sr. Adv. with P.A. Kabadi
i/by. Doijode Associates
for the petitioners.

K.P. Jain i/by. P.R. Shah
for Respondent no.1.

CORAM: S.U. KAMDAR, J.

DATE : 22ND FEBRUARY, 2006.

P.C. :

1. Both orders which are under review dated 17.7.1997 and 19.12.1997 are passed by consent of the parties. Similar review petition against the very same order being Review Petition no. 26 of 1999 was heard by Deshmukh, J and by an order dated 21.12.2005 the said petition has been dismissed. I am also of the opinion that the order dated 17.7.2005 infact protects the petitioner herein in as much as it records that the petitioner will be entitled to the surplus

sale proceeds. In the aforesaid light of the matter there is no case made out for review of the order impugned herein. Petition is dismissed accordingly.

2. In so far as the Show cause Notice is concerned which is issued pursuant to the order dated 6.3.1998 passed in the present Review Petition. The office is directed to ascertain whether the notice is served on the contemnors. The Show Cause Notice is placed for hearing on 28.2.2006.

sd/-

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